

1 HONORABLE RONALD B. LEIGHTON  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JOHN GARRETT SMITH,

Plaintiff,

v.

G JONES, et al.,

Defendants.

CASE NO. C20-5059RBL

ORDER

14 THIS MATTER is before the Court on Magistrate Judge Fricke's Report and  
15 Recommendation [Dkt. # 4], recommending that the Court dismiss the action due to plaintiff  
16 Smith's failure to comply with a directive of the Court and prosecute this case. Smith has  
17 Objected to the R&R. The Court notes that Smith has seven "strikes" based on prior frivolous  
filings.

18 (1) The Magistrate Judge's Report and Recommendation is ADOPTED;  
19 (2) Smith's complaint is DISMISSED without prejudice and with leave to re-file; and  
20 (3) the Clerk is directed to close the case and send copies of this Order to plaintiff.

IT IS SO ORDERED.

Dated this 15<sup>th</sup> day of May, 2020.



Ronald B. Leighton  
United States District Judge